UNITED STATES PATENT AND TRADEMARK OFFICE

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10/763,506	01/23/2004	Gerald W. Winsor	200314649-1	7228

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EXAMINER
CLOUD, JOIYA M

ART UNIT	PAPER NUMBER
2444	

NOTIFICATION DATE	DELIVERY MODE
06/10/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/763,506	WINSOR, GERALD W.
	Examiner	Art Unit	
	Joiya M. Cloud	2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
> WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 February 2010</u>.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-42</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-42</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail. Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the communication filed on 02/27/2010. Claims 1-42 are

PENDNG.

Reopening of Prosecution

In view of the Appeal Brief filed 02/27/2010, PROSECUTION IS HEREBY REOPENED. New

grounds of rejection are set forth below.

To avoid abandonment of the application, applicant must file a reply under 37 CFR 1.113

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for
patent or (2) a patent granted on an application for patent by another filed in the United
States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for
purposes of this subsection of an application filed in the United States only if the
international application designated the United States and was published under Article
21(2) of such treaty in the English language.

Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Abtin et al **(US**

Publication No. 2003/0078053 A1).

As per claim 1, Abtin teaches a service delivery platform, comprising: a gateway having

connectivity to a communication network **(paragraph [0013])**; a mobile portal **(Figure 1, item**

25-mobile portal) having connectivity to the gateway **(paragraph [0013, gateway)**; a mobile

server accessible by the mobile portal **(Figure 1 and paragraphs [0013] and [0015])**; and an

application server **(paragraphs [0013] and [0015])** having a web services interface connecting

the mobile portal to the mobile server, wherein the web services interface includes access to the

mobile portal and to an associated database structure containing user profile data **(paragraph**

[0013], LDAP Profile Database), wherein the web services interface can register user profile

data for services with the mobile server **(paragraphs [0013] and [0015])**.

As per claim 2, Chaudhari teaches wherein the web services interface is discoverable and

invokeable as a stand-alone web service **(paragraph [0013] and [0015])**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or
described as set forth in section 102 of this title, if the differences between the subject
matter sought to be patented and the prior art are such that the subject matter as a whole
would have been obvious at the time the invention was made to a person having ordinary
skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

Claims 3-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Abtin** in view of **Chaudhari et al (US Patent No. 2004/0259534 A1).**

As per claim 3, Abtin discloses the invention substantially as claimed.

However Abtin does not explicitly teach wherein the application server having the web services interface includes a set of business logic instructions to manage access and control of the user profile data.

Chaudhari teaches wherein the application server having the web services interface includes a set of business logic instructions to manage access and control of the user profile data **(Abstract and paragraph [0044]).**

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Abtin's teachings to the teachings of Chaudhari for the purpose controlling network infrastructure and resources and security of user data **(paragraph [0051]).**

As per claim 4, Abtin-Chaudhari teaches wherein the application server having the web service interface uses a web services descriptor language (WSDL) document to register user profile data with the mobile server **(Chaudhari: paragraph [0040]).**

As per claim 5, Abtin-Chaudhari teaches wherein the WSDL document is automatically generated from a Java Integrated Development Environment (IDE) **(Chaudhari: paragraph [0040]).**

As per claim 6, ABtin-Chaudhari teaches wherein the set of business logic instructions can integrate with business rule processing engines external to the platform **(Chaudhari: paragraph [0049])**.

As per claim 7, Abtin-Chaudhari teaches, wherein the application server having the web services interface includes program instruction which can execute to access the mobile server using simple object access protocol (SOAP) **(Chaudhari: paragraph [0040])**.

As per claim 8, Abtin-Chaudhari teaches wherein the application server having the web services interface includes program instruction which can execute to access the mobile server using Java Messaging Service (JMS) **(Chaudhari: paragraph [0040])**.

As per claim 9, Abtin-Chaudhari teaches wherein the application server having the web services interface includes program instruction which can execute to access the mobile server using a messaging middleware application **(Abtin: paragraph [0020])**.

As per claim 10, Abtin-Chaudhari teaches wherein the application server having the web services interface includes program instruction which can execute to access the mobile server within a common object request broker architecture (CORBA) **(Chaudhari: paragraph [0045])**.

As per claim 11, Abtin-Chaudhari teaches wherein the application server having the web services interface includes a middle tier cache to hold retrieved data from the associated database structure **(Abtin: paragraph [0020])**.

As per claim 12, Abtin-Chaudhari teaches wherein the application server having the web services interface further includes program instructions to provide session management and to clear the middle tier cache **(Abtin: paragraphs [0017] and [0020])**.

As per claim 13, Abtin-Chaudhari teaches wherein the set of business logic instructions control retrieval, update, and deletion of the user profile data **(Chaudhari: paragraph [0118]-[0123])**.

As per claim 14, Abtin-Chaudhari teaches further including instructions to log and debug **(Abtin: paragraph [0015])**.

As per claim 15, Abtin-Chaudhari teaches wherein the instructions to log include instructions to: log updates to the associated database structure; log who performed updates; log when updates were performed; log what updates were implemented; log who made requests into the platform; log when requests were made; and log what information was requested **(paragraph [0013] and [0015])**.

As per claim 16, Abtin-Chaudhari teaches wherein the business logic instructions include a series of Java classes to implement user profile services **(Abtin: paragraph [0020])**.

As per claim 17, Abtin-Chaudhari teaches wherein the mobile server includes a universal business registry of web services **(Abtin: paragraph [0017])**.

As per claim 18, ABtin-Chaudhari teaches wherein the application server having the web services interface and the associated database structure containing user profile data can be accessed directly by the gateway **(Abtin: paragraph [0013] and [0015])**.

As per claim 19, Abtin-Chaudhari teaches wherein the application server having the web services interface uses templates to define profile elements in the user profile data **(paragraph [0015])**.

As per claim 20, ABtin-Chaudhari teaches wherein the templates are used by program instructions to register the user profile data with the mobile server for application processing **(Abtin: paragraph [0013])**.

As per claim 21, ABtin-Chaudhari teaches wherein the profile elements are selected from the group of: a user ID; a group ID; a user name; a preferred language; a status; a first name; a last name; a last login timestamp; a street; a street number; a zip; a city; a country; a gender; a mobile subscription; a mobile subscriber ISDN; a current device location; and an email address **(Abtin: paragraph [0003])**.

As per claim 22, Abtin-Chaudhari teaches wherein the application server having the web services interface is accessible across multiple network applications **(Abtin: paragraph [0013])**.

As per claim 23, Abtin-Chaudhari teaches wherein the application server having the web service interface includes program instructions which can execute to register user profile data in the associated database with a business registry of the mobile server and with a registry on one or more third party servers **(Abtin: paragraph [0013] and [0015])**.

As per claims 24-31, claims 24-31 recite similar limitations as claims 1-23 and therefore are rejected using similar rationale.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for
patent or (2) a patent granted on an application for patent by another filed in the United
States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for
purposes of this subsection of an application filed in the United States only if the
international application designated the United States and was published under Article
21(2) of such treaty in the English language.

Claims 32-40 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chaudhari et**

al. (US Publication No. 2004/0259534 A1)

As per claim 32, Chaudhari teaches method for user profile service, comprising:

collecting user profile data from multiple network sources in a localized database **(paragraphs**

[0041] [0043], [0046] and [0051], where the Meta Directory locally stores the user profile

data); providing business rules to an application server to manage access to the collected user

profile data in the database **(paragraphs [0043] [0049], where policy rules and business rules**

are provided and determine   ); and allowing different network service applications to access

the collected user profile data as determined by the business rules **(paragraphs)**.

As per claim 33, Chaudhari teaches a computer readable medium having instructions for

causing a device to perform a method, comprising: collecting user profile data from multiple

network sources in a localized database **(paragraphs [0041] [0043], [0046] and [0051];**

providing business rules to an application server to manage access to the collected user profile data in the database **(paragraphs [0043] [0049])**; and allowing different network service applications to access the collected user profile data as determined by the business rules **(paragraphs [0043] [0049])**.

As per claim 34, Chaudhari teaches mobile services delivery platform, comprising: an application server having a web services interface and accessible by a mobile network; means for storage and access of user profile data on a user profile service database in connection with the web service interface **(paragraph [0043], the Metadata Directory stores information about users in the Subscriber Profile**; and means for enabling applications and/or component parts of applications to access profile elements in the user profile data and be distributed over the mobile network in connection with the web service interface **(paragraph [0044] and [0049, policy and business rules enable and determine access to elements of user profile information)**.

As per claim 35-38, Chaudhari teaches wherein the means for storage and access includes a set of computer executable instructions; wherein the means for enabling applications and/or component parts of applications to access profile elements includes a set of computer executable instructions **(paragraph [0072])**; wherein the application server includes program instructions to deploy, develop, administer, and integrate user profile data with one or more network applications **(paragraph [0072]**; and wherein the application server includes program instructions to manage: user demographic information **(paragraph [0043], i.e. gender, user age, address etc)**; user privilege, access and rights information **(paragraph [0043], policy rules)**; and user service registration information **(paragraph [0043], i.e. expiry of subscription)**.

As per claim 39-40, Chaudhari teaches wherein a profile element in the user profile data indicates an interest in soccer and wherein a profile element in the user profile data indicates an interest in Chinese cuisine and a disinterest in Italian cuisine **(paragraph [0050])**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaudhari **(US Publication No. 2004/0259534 A1)** in view of Das et al. **(US Patent No. 7,310,307 B1).**

As per claim 41-42, Chaudhari discloses the invention substantially as claimed. However, Chaudhari does not explicitly teach wherein the application server is accessible by wireless voice network and wherein the application server is accessible by a public wireless local area network (PwLAN)

Das teaches wherein the application server is accessible by a public wireless local area network (PwLAN) **(col. 6, lines 43-54).**

Accordingly, it would have been obvious to one of ordinary skill in the art to have modified the teachings of Chaudhari to the teachings of Das for the purpose of providing connectivity to the user **(col. 6, lines 51-54)**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

Art Unit 2444   **June 5, 2010**

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444